

Abstract

This master's thesis deals with the present legal regulation of foster care as one of the forms of a substitute care. Foster care is a traditional private law institute with public law elements. Its purpose is to ensure substitute care to children whose parents, or even custodian are not able to care for them because of various reasons. So foster care is a subsidiary to biological parent's care. On the other hand, based on law, foster care has priority over institutional care.

Due to the reformation of the substitute care system, foster care went through lots of changes lately. Primarily it was approached to the extensive amendment of Act no. 359/1999 Coll., on the social and legal protection of children and with the effectiveness since the 1st of January the family law regulation has been incorporated to the Act No. 89/2012 Coll., civil code. The aim of this thesis is to provide a complete picture of the present legal regulation of foster care in the Czech Republic due to conducted legislative changes.

The introductory part of the thesis focuses on essential characteristics of substitute care for endangered children. To obtain a comprehensive view on the issue of the foster care separate chapter is dedicated to the historical development of foster care in the historical periods. Basic legal sources of foster care are briefly defined at the national and international level. The main part of this thesis deals with the legal regulation of foster care *de lege lata*. Various assumptions which must be fulfilled to entrust children to foster care are described in detail. Furthermore, the very process of foster care's formation is processed. The attention is focused on temporary foster care which came to the forefront lately. And finally, the material security system of foster parents is described.